

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 97-CV-60091  
HON. GEORGE CARAM STEEH

RUFUS DIXON,

Defendant.

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ORDER DENYING DEFENDANT'S WRITTEN REQUEST FOR  
GARNISHMENT HEARING (#22)

Defendant Rufus Dixon, appearing pro se, moves for a garnishment hearing relative to garnishee Michigan Department of Treasury. Default judgment entered against defendant on July 30, 1997 in the amount of \$1,323.71 plus interest. Garnishee Michigan Department of Treasury filed an application for a continuing writ of garnishment on February 6, 2006 alleging \$2,893.05 remains owing on the judgment debt. Defendant Dixon states he knows of no existing Michigan Department of Treasury accounts, and checks a box on a form to indicate that any monies are exempt under the Bankruptcy Code. Defendant has not shown, as he must, that his student loan debts were discharged in bankruptcy under 11 U.S.C. § 523(a)(8) (1986) on an express determination of undue hardship. Neither has defendant shown or even alleged that the Michigan Department of Treasury is attempting to garnish equity in his home, equity in a motor vehicle, jewelry, personal property, or implements, tools, or books of his trade. Defendant's denial of the existence of a garnishable account and invocation of the Bankruptcy Code is insufficient

to establish the need for a garnishment hearing. Accordingly,

Defendant's request for a garnishment hearing relative to garnishee Michigan Department of Treasury is hereby DENIED.

SO ORDERED.

s/George Caram Steeh  
GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

Dated: March 13, 2006

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record on March 13, 2006, by electronic and/or ordinary mail.

s/Josephine Chaffee  
Secretary/Deputy Clerk